

Remarks

This Response is considered fully responsive to the Office Action mailed 26 October 2009. Claims 1-10, 12, and 14-22 were pending in the application. Claims 1-6, 12, and 15-19 have been allowed. Claims 7-10, 14, and 20-22 stand rejected. In this Response, no claims are added, claims 7-10, 14, and 20-22 are amended, and no claims are canceled. Reexamination and reconsideration are requested.

Examiner Interview Summary

The Applicant thanks Examiner Maung for his time spent discussing the present application on December 8, 2009 and January 20, 2010. The Examiner expressed his viewpoint that claims 7-9, 10, 14, and 20-22 lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. § 101. The Examiner suggested that changing “computer-readable medium” to “computer-readable storage medium” would be sufficient to overcome the rejection. The Applicant has endeavored in this response to amend claims 7-9, 10, 14, and 20-22 consistent with the Examiner’s interpretation of 35 U.S.C. § 101.

Rejections Under 35 U.S.C. § 112

The Office has rejected claim 20 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Office asserts that “the scope of ‘computer-readable medium according to claim 19’ lacks proper antecedent basis.” Accordingly, the Applicant has amended claim 20 to instead recite, “[a] method according to claim 19.” Since claim 19 is in fact a “method,” claim 20 as presently amended satisfies the requirements of 35 U.S.C. § 112, second paragraph. As such, the Applicant respectfully requests that this rejection of claim 20 be withdrawn.

Rejections Under 35 U.S.C. § 101

The Office has rejected claims 7-9, 10, 14, and 20-22 under 35 U.S.C. § 101 as lacking the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. § 101. More specifically, the Office asserts that the claims “are directed to

components of a computer program (or 'program product') and not to a computer implemented process or apparatus." Accordingly, the Applicant has replaced "[a] computer-readable medium encoded with a computer program . . ." with "[o]ne or more computer-readable storage media storing computer-readable instructions for execution by a processor to perform a method . . ." in independent claims 7 and 21. Claims 8-10, 14, and 22 have been amended to reference the "storage media" rather than the "medium" now recited in claims 7 and 21 from which they depend. The Applicant believes claims 7-9, 10, 14, and 20-22 satisfy the requirements of 35 U.S.C. § 101 and thus the Applicant respectfully requests that the rejections of claims 7-9, 10, 14, and 20-22 be withdrawn.

Conclusion

Claims 1-10, 12, and 14-22 are currently pending in the application. The Applicant has fully responded to each and every rejection in the Office action dated 26 October 2009 and believes that claims 1-10, 12, and 14-22 are in a condition for allowance. The Applicant therefore requests that a timely Notice of Allowance be issued in this case.

The Applicant believes no other fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 50-3199 as necessary.

If the Examiner believes any issues could be resolved via a telephone interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: January 22, 2010

/Eric R. Drennan/

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